

CITY OF SAN BRUNO
PAYMENT BOND

**CITY OF SAN BRUNO – ENCROACHMENT PERMIT
PAYMENT BOND**

KNOW ALL MEN BY THESE PRESENTS: the City of San Bruno (“City”), San Mateo County, State of California, has issued an Encroachment Permit (“Permit”) to _____, hereinafter designated as the “Principal”, for constructing the following project:

_____, and
WHEREAS, under the terms of the Permit, the Principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City to ensure the claims to which reference is made in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code of the State of California.

NEW, THEREFORE, we, the Principal and _____, organized and existing under the laws of the State of _____, and duly licensed to transact surety business in the State of California, and authorized to execute bonds and undertaking as sole surety, as Surety, are held firmly bound unto the City and all contractors, subcontractors, laborers, materialmen, and other persons employed in the performance under the Permit and referred to in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code of the State of California in the sum _____ Dollars (\$_____), for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney’s fees, incurred by City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code of the State of California, so as to give a right of action to them or their assignees in suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

This bond is executed and filed to comply with the provisions of the act of the Legislature of the State of California as designated in Civil Code Section 9550-9566, inclusive, and all amendments thereto.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Permit or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligations on this bond, and it does hereby waive notice of such change, extension, alteration or addition.

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IN WITNESS THEREOF, the above bounden parties have executed this instrument under their seals this day of _____, 20__ the name and corporate seal of each corporate party being hereto affixed, and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

ATTEST:

(SEAL) _____ **Principal**

By _____

(Witness as to Principal)

(Address)

(Address)

Surety

ATTEST:

Witness to Surety _____ **Attorney –in-Fact**

(Address)

If Principal is partnership, all partners must execute **BOND**.